



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re. Appln.: John Underbrink
Application No.: 10/652,112
Filing Date: August 29, 2003
For: FOLDING SINK
Examiner: Khoa D. Huyhn
Art Unit: 3751
Attorney: Gerald E. Helget
Attorney Docket No.: 35249.26
Additional Fees: Charge to Deposit Account No. 023732

MAIL STOP PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO MAKE SPECIAL BECAUSE OF ACTUAL INFRINGEMENT
(37 C.F.R. §1.102 AND M.P.E.P. §708.02)

Applicant hereby petitions to make this application special because of actual infringement.

1. Accompanying material:

Accompanying this petition is:

a Statement by Attorney in Support of Petition to Make Special Because of Actual Infringement

Respectfully submitted,

Dated: 23 Sept 04

By Gerald E. Helget
Gerald E. Helget (Reg. No. 30,948)
Briggs and Morgan, P.A.
80 South Eighth Street
2200 IDS Center
Minneapolis, MN 55402
Telephone: (612) 977-8480

CERTIFICATE OF MAILING

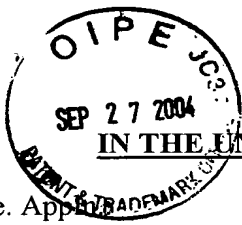
I hereby certify that this document and the documents identified above, are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP PETITION, Commissioner for Patents, Alexandria, VA 22313-1450, on the date indicated below.

By Gerald E. Helget
Dated 23 Sept 04

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re. Applicant: John Underbrink
Application No.: 10/652,111
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For: FOLDING SINK ASSEMBLY
Examiner: Khoa D. Huyhn
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MAIL STOP PETITION
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**STATEMENT IN SUPPORT OF PETITION TO MAKE SPECIAL
BECAUSE OF ACTUAL INFRINGEMENT
(37 C.F.R. §1.102 AND M.P.E.P. §708.02)**

Applicant hereby petitions the Office to make the above-referenced United States Patent Application special, as follows:

1. There is an infringing device or product actually on the market. In particular, an infringing product is actually being marketed by Jobar International, Inc., 21022 Figueroa St., Carson, CA 90745 (attached).

2. A rigid comparison of the alleged infringing product with the claims of the application has been made. In my opinion, some of the claims are unquestionably infringed.

3. I have a good knowledge of the pertinent prior art. The references most closely related to the subject matter encompasses by the claims are already of record.

Dated: 23 Sept 04


Gerald E. Helget
Attorney for Applicant

OFFICE TRANSMITTAL SEP 27 2003 for FY 2004 <small>Effective 10/01/2003. Patent fees are subject to annual revision.</small>	Complete if Known	
	Application Number	10/652,111
	Filing Date	August 29, 2003
	First Named Inventor	John Underbrink
	Examiner Name	Khoa D. Huynh
	Art Unit	3751
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		
TOTAL AMOUNT OF PAYMENT	(\$)	130.00
Attorney Docket No.		35249.26

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																																																																																	
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<input type="checkbox"/> Deposit Account: Deposit Account Number: 02-3732 Deposit Account Name: Briggs & Morgan, P.A.		<table border="1"><thead><tr><th>Large Entity</th><th>Small Entity</th><th>Fee Code</th><th>Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>1051</td><td>1051</td><td>130</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>1052</td><td>1052</td><td>50</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr><tr><td>1053</td><td>1053</td><td>130</td><td>130</td><td>Non-English specification</td><td></td></tr><tr><td>1812</td><td>1812</td><td>2,520</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr><tr><td>1804</td><td>1804</td><td>920*</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>1805</td><td>1805</td><td>1,840*</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>1251</td><td>1251</td><td>110</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>1252</td><td>1252</td><td>420</td><td>210</td><td>Extension for reply within second month</td><td></td></tr><tr><td>1253</td><td>1253</td><td>950</td><td>475</td><td>Extension for reply within third month</td><td></td></tr><tr><td>1254</td><td>1254</td><td>1,480</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>1255</td><td>1255</td><td>2,010</td><td>1,005</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>1401</td><td>1401</td><td>330</td><td>165</td><td>Notice of Appeal</td><td></td></tr><tr><td>1402</td><td>1402</td><td>330</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>1403</td><td>1403</td><td>290</td><td>145</td><td>Request for oral hearing</td><td></td></tr><tr><td>1451</td><td>1451</td><td>1,510</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>1452</td><td>1452</td><td>110</td><td>55</td><td>Petition to revive - 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**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Gerald E. Helget	Registration No. (Attorney/Agent)	30,948
Signature		Telephone	612.977.8480
		Date	23 Sep 04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.